

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

- - -

LAMAR WRIGHT, )  
Plaintiff, ) Case No.  
-vs- ) 1:17-cv-02503  
CITY OF EUCLID, et al., ) Judge Nugent  
Defendants. )

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Deposition of SERGEANT CRAIG MUROWSKY,  
a witness herein, being called by the  
Plaintiff as if upon cross-examination under  
the statute, and taken before Angelika P.  
Shane, a Notary Public within and for the  
State of Ohio, pursuant to agreement of  
counsel, on Wednesday, the 15th day of  
August, 2018, at 10:36 a.m., at the offices  
of Friedman & Gilbert, 55 Public Square,  
Cleveland, Ohio.

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**Exhibit D**

1       **Q       Are there any situations where an**  
2       **individual is arrested by a Euclid police**  
3       **officer and not turned over to Cuyahoga**  
4       **County custody?**

5       A       The only situation would be if we were  
6       to arrest somebody on a warrant for a  
7       different community, and then we arrange  
8       what's called a warrant transfer or a  
9       warrant pickup and we'll meet that agency at  
10      a specific location and turn over custody.

11      **Q       Are there ever times when a Euclid**  
12      **police officer arrests a person and that**  
13      **person is not put through the booking**  
14      **process and the custody transferred to the**  
15      **county, but instead is released after the**  
16      **arrest?**

17      A       Like a cite and release? Is that what  
18      you're saying?

19      **Q       Sure. Does the Euclid Police**  
20      **Department do cite and release?**

21      A       Yes. It's not a physical arrest,  
22      though. I mean, it is, but we don't really  
23      take custody.

24      **Q       What is the difference between a**  
25      **physical arrest and a cite and release?**

1       A       Physical arrest is when we bring them  
2       into the facility and have them booked and  
3       post a bond.

4       A cite and release type situation is  
5       where they write out a citation, give them a  
6       court date and release them.

7       **Q       And what are the parameters for**  
8       **determining whether a person will be**  
9       **subjected to a physical arrest or a cite and**  
10      **release?**

11      A       Issues concerning identity maybe, if  
12      we're not 100 percent sure of who the  
13      individual is, the circumstances around the  
14      arrest. Basically discretionary to whoever  
15      the officer in charge is at the time of the  
16      arrest.

17      **Q       Does the officer making the arrest**  
18      **exercise any discretion in determining**  
19      **whether a physical arrest occurs?**

20      A       Yes.

21      **Q       And you mentioned the circumstances**  
22      **around the arrest as being part of that**  
23      **determination, right?**

24      A       Correct.

25      **Q       Tell me more about what you mean, how**

1  
2  
3 CERTIFICATE  
4

5 THE STATE OF OHIO, )  
6 ) SS:  
7 COUNTY OF CUYAHOGA. )  
8

9 I, Angelika P. Shane, a Notary Public  
10 within and for the state of Ohio, duly  
11 commissioned and qualified, do hereby  
12 certify that the within-named witness,  
13 SERGEANT CRAIG MUROWSKY, was by me first  
14 duly sworn to testify to the truth, the  
15 whole truth and nothing but the truth in the  
16 cause aforesaid; that the testimony then  
17 given by the above-referenced witness was by  
18 me reduced to stenotype in the presence of  
19 said witness; afterwards transcribed, and  
20 that the foregoing is a true and correct  
21 transcription of the testimony so given by  
22 the above referenced witness.  
23

24 I do further certify that this  
25 deposition was taken at the time and place  
in the foregoing caption specified and was  
completed without adjournment.

1 I do further certify that I am not a  
2 relative, counsel or attorney for either  
3 party, or otherwise interested in the  
4 event of this action.

5 IN WITNESS WHEREOF, I have hereunto set  
6 my hand and affixed my seal of office at  
7 Cleveland, Ohio, this 8th day of October,  
8 2018.

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11

12 Angelika P. Shane, Notary Public  
13 Within and for the State of Ohio  
14 My commission expires 6/21/20  
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